

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

5        Serial No.:        10/653,821

         Confirmation No. 4123

         Applicant:        Nathan Lee Gray

10       Filed:                September 3, 2003

         For:        LIMB FOR BREATHING CIRCUIT

15       Examiner:        James F. Hook

         Art Unit:        3754

         Attorney Docket No.:  
20                    1171/41357/134

25 Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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During the interview, claims 1 and 19 were discussed and agreement with respect to the claims was reached.

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It was discussed how it would not be obvious to combine Darling and Gray. The Examiner agreed that the intended use (ejection from an airplane) of Darling teaches away from the use of a very thin walled conduit.

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Examiner advised that the amended limitation of "said conduit would experience substantial internal volume changes as a result of said wall deforming due to fluctuating pressure within said conduit from patient breathing" more clearly defines the claims. The Examiner advised that while Gray does relate to a conduit conveying breathing gases that are breathed by a patient, that any deformation in Gray would not be as a result of fluctuating pressure within the conduit from patient breathing. As a result, the Examiner stated that the combination would require hindsight in order to validly reject the claims.

The Examiner advised that pending further search and consideration, the application may be in condition for allowance.

Should the Examiner have any questions regarding this Interview Summary, the Examiner is invited to contact the undersigned attorney at (312) 704-1890.

Respectfully submitted,

Dated: August 19, 2008

By: 

Linda L. Palomar, Reg. No. 37,903  
TREXLER, BUSHNELL, GIANGIORGI  
BLACKSTONE & MARR, LTD.  
105 W. Adams Street  
Suite 3600  
Chicago, Illinois 60603  
(312) 704-1890

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